

EXHIBIT 444

Highly Confidential - Subject to Further Confidentiality Review

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL :
PRESCRIPTION : MDL No. 2804
OPIATE LITIGATION :
----- : Case No.
THIS DOCUMENT RELATES : 1:17-MD-2804
TO ALL CASES : Hon. Dan A. Polster

- - -

Thursday, December 6, 2018

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

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Videotaped deposition of JASON BRISCOE, held
at the offices of Cavitch, Familo & Durkin,
1300 East Ninth Street, Cleveland, Ohio, commencing at
9:05 a.m., on the above date, before Carol A. Kirk,
Registered Merit Reporter and Notary Public.

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<p style="text-align: center;">Page 86</p> <p>1 diligence report, rather than just relying on 2 this report spitting out five bottles versus 3 five bottles of the monthly average over 4 12 months. That's not good enough, and that's 5 part of the reason why there's human involvement 6 before that next step involving the store would 7 be.</p> <p>8 Q. How many DDM pharmacies in the 9 State of Ohio, 70?</p> <p>10 A. In Ohio?</p> <p>11 Q. Yes.</p> <p>12 A. Currently retail locations?</p> <p>13 Q. Yes.</p> <p>14 A. Seventy-four.</p> <p>15 Q. Seventy-four. And that number has 16 stayed fairly consistent over the last 10 or 17 15 years, correct?</p> <p>18 A. We've had some pretty strong 19 conservative growth where -- in 2006, I bet we 20 were in the low 60s as far as store numbers.</p> <p>21 Q. So 60, 70 pharmacies from 2006 to 22 now?</p> <p>23 A. Mm-hmm.</p> <p>24 Q. And you asked me just Ohio. My</p>	<p style="text-align: center;">Page 88</p> <p>1 Q. Right. 2 A. So if I -- if drug X had five NDCs 3 but three of which that store purchased from our 4 distribution center that month -- 5 Q. Mm-hmm. 6 A. -- we would see all three NDCs in 7 the associated package size and quantity. 8 Q. All right. So what would trigger 9 a store -- an order being placed on that report 10 exceeding that average? I mean 10 percent, 11 50 percent, 100 percent? 12 A. 99 percent greater than the 13 monthly average when calculated over the last 14 12 months. 15 Q. So essentially it would have to 16 double? 17 A. Yes. 18 Q. How many pages were those reports 19 typically? 20 A. The way the green bar is 21 printed -- I mean, if you're talking about 22 number of sheets of paper -- 23 Q. Yeah. 24 A. -- it would be one page for every</p>
<p style="text-align: center;">Page 87</p> <p>1 understanding is DDM just does business in Ohio. 2 Am I mistaken?</p> <p>3 A. And my question for you was just 4 retail locations.</p> <p>5 Q. Okay. But DDM only does business 6 in Ohio, correct?</p> <p>7 A. You got it. Yes.</p> <p>8 Q. And the distribution center for 9 the pharmaceuticals is in Ohio, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And the pharmacies are all located 12 in Ohio, correct?</p> <p>13 A. Yes.</p> <p>14 Q. All the organizational structure 15 at the operational level is in Ohio?</p> <p>16 A. Yes.</p> <p>17 Q. All right. So -- now, the report, 18 we -- that report, the average is just based on 19 bottles?</p> <p>20 A. But it provides granularity to 21 what is leading to that number. So if you were 22 to look at the report, it would provide any NDC 23 and associated package size within a drug 24 family.</p>	<p style="text-align: center;">Page 89</p> <p>1 store followed by one blank page followed by the 2 next store. So if there are 74 stores, 3 148 pages.</p> <p>4 Q. All right. And how often would 5 a -- frequency-wise would a store be on this 6 report with an order that exceeded the previous 7 12-month average by bottle by 99 percent?</p> <p>8 A. Tough for me to characterize your 9 definition of "frequent." I mean, I would say 10 very infrequent. I don't know how else to 11 characterize that.</p> <p>12 Q. Meaning that it was not very -- we 13 can -- it was not a regular occurrence for an 14 order to be on the suspicious order monitoring 15 report because it exceeded the previous 12-month 16 average by bottle by 99 percent?</p> <p>17 A. Yeah. A large majority of the 18 time, a large majority of our stores would have 19 no instances by which a drug family would -- 20 would populate on this report.</p> <p>21 Q. Let's put it this way: 22 DDM did not have a significant 23 part of anyone's responsibility designed to 24 monitoring and reviewing that report on a -- on</p>